Public Notice

Applicant: Jamestown Public School District

Date:
Published: Aug. 22, 2001
Expires: ~~Sept. 21, 2001~~

U.S. Army Corps of Engineers
Buffalo District

In Reply Refer To:
CELRB-CO-R RE: 2000-01166(1) **Section:** NY 404

Application for Permit under Authority of Section 404 of the Clean Water Act (33 U.S.C. 1344).

The Board of Education of the Jamestown Public School District, 200 East Fourth Street, Jamestown, New York 14701, has applied for a Department of the Army permit to develop an athletic complex as a component of the Jefferson Middle School Improvement Project. The site is approximately 60 acres located on Martin Road, in both the City of Jamestown and the Town of Kiantone, Chautauqua County, New York.

The project will consist of the construction of two new baseball, two new softball, and four new soccer fields. One of the soccer fields would be a lighted varsity soccer field with bleacher seating for approximately 700 people for school district use. In addition, the project also provides for construction of appropriate support facilities for the new athletic fields, including a parking lot, and an approximately 2,400 sq.ft. building to house concession, athletic equipment storage and bathrooms as well as the installation of appropriate stormwater management facilities.

The work that is within Department of the Army jurisdiction entails the discharge of dredged or fill material into about 1.85 acres of 15.05 acres of Federal wetlands located on the project site. These wetlands were determined to be jurisdictional based on the fact that these wetlands are hydrologically connected to an unnamed creek that flows into Conewango Creek which flows into the Allegheny River. As mitigation for impacting a portion of the Federal wetlands on the project site, the applicant is proposing to create approximately 4.96 acres of new wetland consisting of robust emergent marsh/open water, emergent marsh and wet meadow habitat as shown on the attached drawings.

The School District has considered various practicable alternatives to discharging fill into 1.85 acres of wetland. However, after considering those alternatives, the School District determined that the current proposal is the most practicable.

The purpose of the project is to provide the School District with athletic field space for their sports teams to practice and play.

Location and details of the above described work are shown on the attached maps and drawings.

Questions pertaining to the work described in this notice should be directed to James A. Seyler, who can be contacted by calling (716) 879-4337, or by e-mail at: james.a.seyler@lrb.usace.army.mil

There are no registered historic properties or properties listed as being eligible for inclusion in the National Register of Historic Places that will be affected by this project.

In addition, available evidence indicates that the proposed work will not affect a species proposed or designated by the U.S. Department of the Interior as threatened or endangered, nor will it affect the critical habitat of any such species.

This notice is promulgated in accordance with Title 33, Code of Federal Regulations, parts 320-330. Any interested party desiring to comment on the work described herein may do so by submitting their comments, in writing, so that they are received no later than 4:30 pm on the expiration date of this notice.

Comments should be sent to the U. S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, and should be marked to the attention of James A. Seyler, or by e-mail at: james.a.seyler@lrb.usace.army.mil. A lack of response will be interpreted as meaning that there is no objection to the work as proposed.

Comments submitted in response to this notice will be fully considered during the public interest review for this permit application. All written comments will be made a part of the administrative record which is available to the public under the Freedom of Information Act. The Administrative Record, or portions thereof may also be posted on a Corps of Engineers internet web site. Due to resource limitations, this office will normally not acknowledge the receipt of comments or respond to individual letters of comment.

Any individual may request a public hearing by submitting their written request, stating the specific reasons for holding a hearing, in the same manner and time period as other comments.

Public hearings for the purposes of the Corps permit program will be held when the District Commander determines he can obtain additional information, not available in written comments, that will aid him in the decision making process for this application. A Corps hearing is not a source of information for the general public, nor a forum for the resolution of issues or conflicting points of view (witnesses are not sworn and cross examination is prohibited). Hearings will not be held to obtain information on issues unrelated to the work requiring a permit, such as property ownership, neighbor disputes, or the behavior or actions of the public or applicant on upland property not regulated by the Department of the Army. Information obtained from a public hearing is given no greater weight than that obtained from written comments. Therefore, you should not fail to make timely written comments because a hearing might be held.

The decision to approve or deny this permit request will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among these are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the

preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Paul G. Leuchner
Chief, Regulatory Branch

NOTICE TO POSTMASTER: It is requested that this notice be posted continuously and conspicuously for 30 days from the date of issuance.

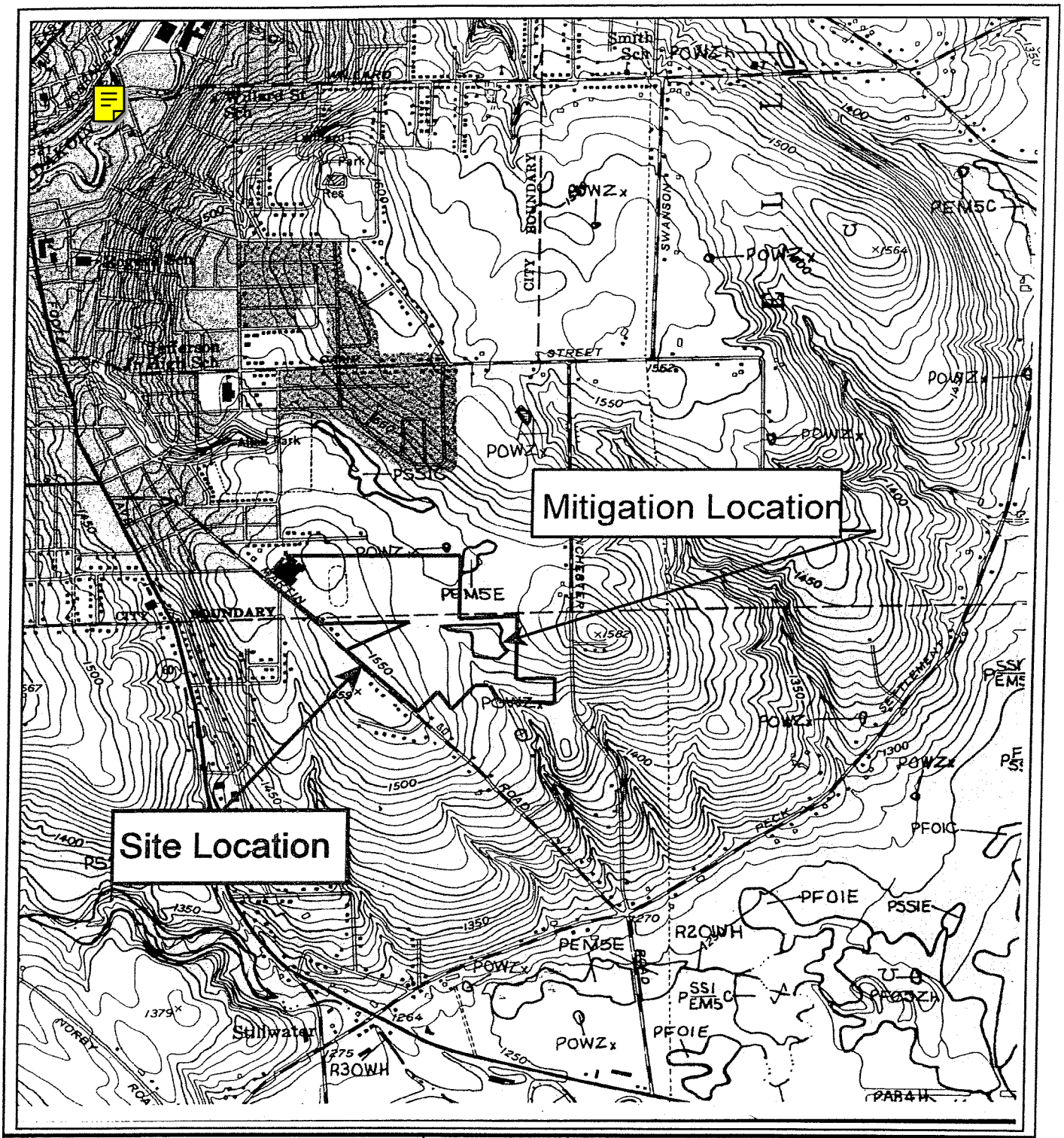

Figure 2. National Wetlands Inventory Jamestown, NY Quadrangle

Scale 1:24000

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Mitigation Location

Jefferson Middle School
Improvement Project.
City of Jamestown/
Town of Kiantone
Chautauqua County, New York

JAMESTOWN PUBLIC SCHOOLS-JEFFERSON MIDDLE SCHOOL
D/A Processing No. 2000-01166(1)
Chautauqua County, New York
Quad: JAMESTOWN
Sheet 1 of 12

JAMESTOWN PUBLIC SCHOOLS-JEFFERSON MIDDLE SCHOOL
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Proposed Athletic Fields at Jefferson Middle School
Jamestown City School District
Jamestown and Town of Kiantone, New York

WETLAND IMPACT & MITIGATION

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JAMESTOWN PUBLIC SCHOOLS-JEFFERSON MIDDLE SCHOOL
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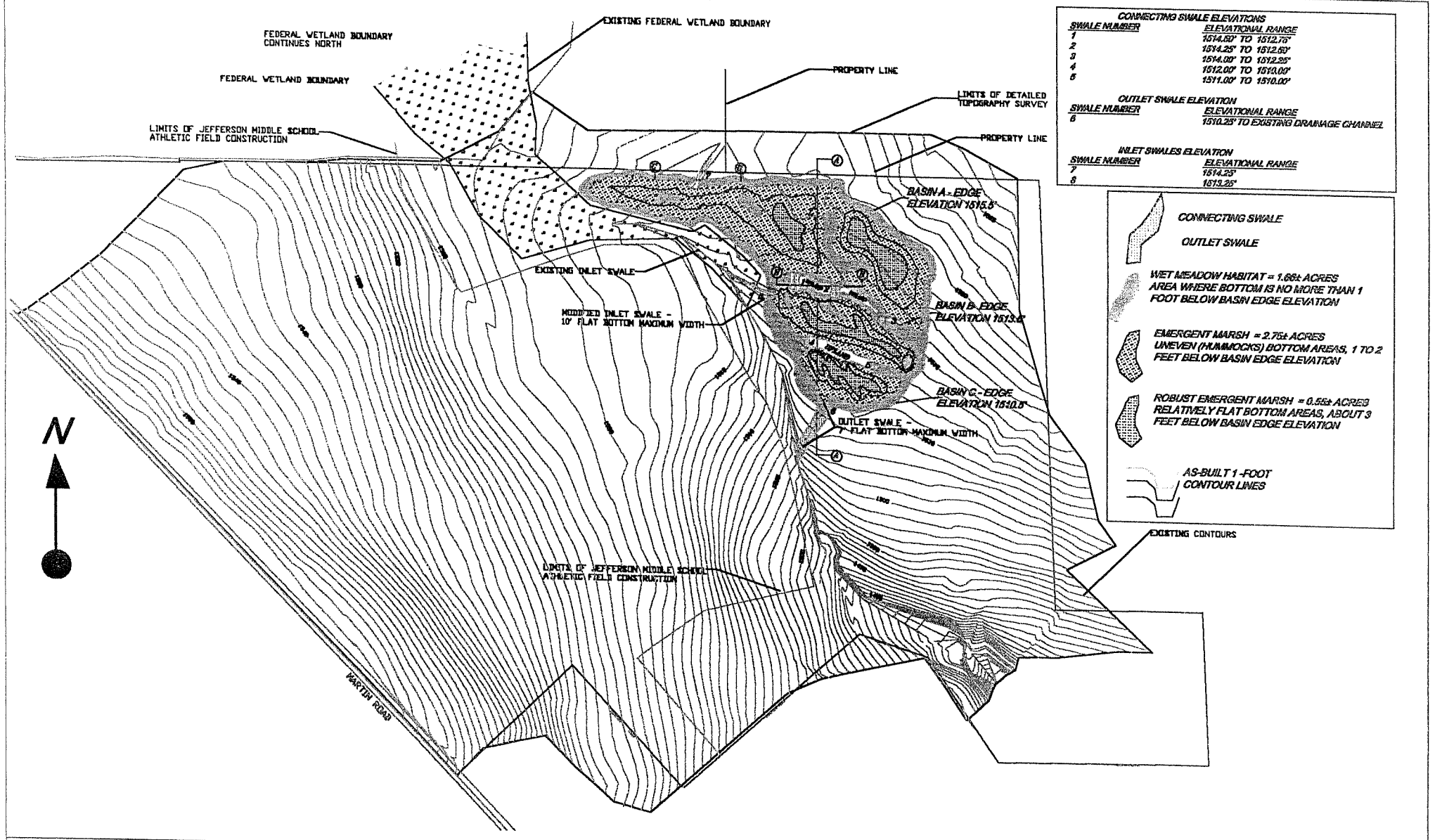

SCALE – 1" = 100'	JEFFERSON MIDDLE SCHOOL ATHLETIC COMPLEX WETLAND MITIGATION/CREATION PLAN	MARTIN ROAD, CITY OF JAMESTOWN TOWN OF KIANTONE CHAUTAUQUA COUNTY, NEW YORK	Wilson Environmental Technologies, Inc 1331 N. Forest Rd. Suite 250, Williamsville, NY 14221 (716) 688-8900 - Fax (716) 688-5894 e-mail: dan@wilsonenvironmental.com JOB NO. 700.003 | FEB. 2001 | SHEET 2 OF 4

JAMESTOWN PUBLIC SCHOOLS-JEFFERSON MIDDLE SCHOOL
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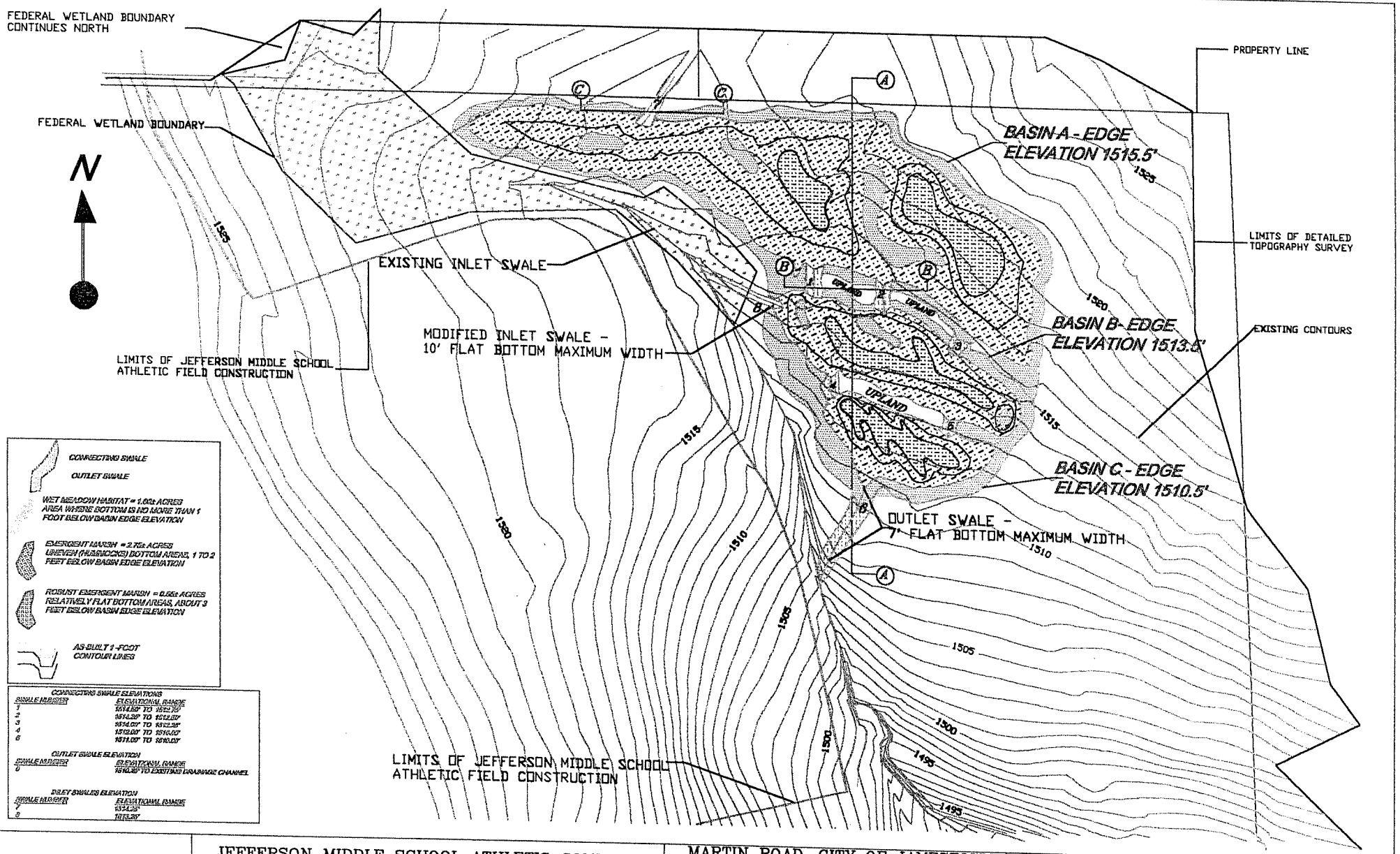

SCALE – 1" = 60'

JEFFERSON MIDDLE SCHOOL ATHLETIC COMPLEX
WETLAND MITIGATION/CREATION PLAN

MARTIN ROAD, CITY OF JAMESTOWN
TOWN OF KIANTONE
CHAUTAUQUA COUNTY, NEW YORK

Wilson Environmental Technologies, Inc
1391 N. Forest Rd. Suite 250, Williamsville, NY 14221
(716) 688-6900 - Fax (716) 688-5884 e-mail: don@wilsonenvironmental.com

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LEGEND

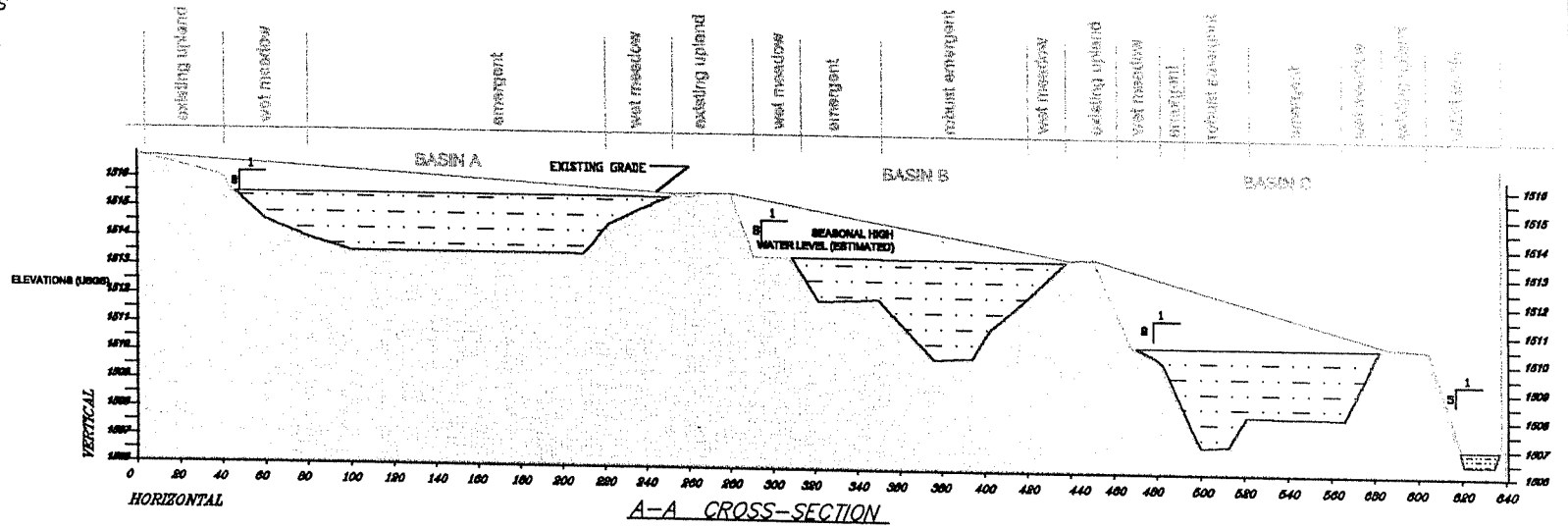
ROBUST EMERGENT ELEVATION VARIES
AREA = 0.55± ACRES

EMERGENT MARSH ELEVATION VARIES
AREA = 2.75± ACRES

WET MEADOW ELEVATION VARIES
AREA = 1.66± ACRES

TOTAL MITIGATION = 4.96± ACRES

A-A CROSS-SECTION

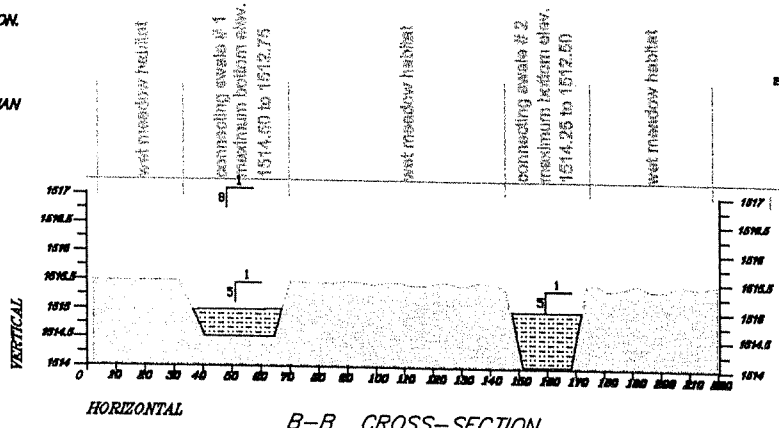


A-A CROSS-SECTION
SCALE = AS SHOWN

CONSTRUCTION NOTES:

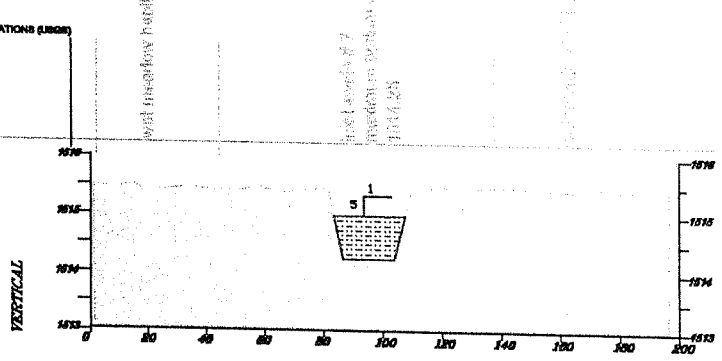
1. ALL EXCAVATED AREAS TO BE OVEREXCAVATED BY 6" - 8" TO BE REPLACED WITH TOPSOIL.
2. FINAL GRADES SHALL BE IRREGULAR AS DIRECTED BY WETLANDS CONSULTANT.
3. UPLAND HABITAT AREAS TO REMAIN AT EXISTING GRADE ELEVATION.
4. WET MEADOW/EMERGENT MARSH TO BE SEEDED WITH WETLAND HUMMOCK SEED MIXTURE AT A RATE OF 3.25 LBS/AC.
5. ALL APPROPRIATE EROSION CONTROLL METHODS TO BE APPLIED DURING CONSTRUCTION.
6. SIDE SLOPES OF CONNECTING SWALES SHALL BE NO STEEPER THAN 5:1. OTHER SLOPES SHALL APPROACH 8:1.

B-B CROSS-SECTION



B-B CROSS-SECTION
SCALE = AS SHOWN

C-C CROSS-SECTION



C-C CROSS-SECTION
SCALE = AS SHOWN

CROSS SECTIONALS	JEFFERSON MIDDLE SCHOOL ATHLETIC COMPLEX WETLAND MITIGATION/CREATION PLAN	MARTIN ROAD, CITY OF JAMESTOWN TOWN OF KIANTONE CHAUTAUQUA COUNTY, NEW YORK	Wilson Environmental Technologies, Inc. 1321 N. Forest Rd. Suite 220, Williamsville, NY 14221 (716) 688-6900 - Fax (716) 688-6994 e-mail: dan@wilsonenvironmental.com JOB NO. 700.003 | FEB. 2001 | SHEET 4 OF 4

HABITAT	WATER DEPTH (Max.)	SIZE (Acres)	VEGETATION COVER
Open water & Robust Emergent/	3.0	1.05±	Sago pondweed - *Potamogeton pectinatus* - OBL Spatterdock - *Nuphar advena* - OBL Pickerel plant - *Pontederia cordata* - OBL Cattail - *Typha latifolia* - OBL Duck potato - *Sagittaria latifolia* -OBL
Emergent Marsh	1.0 to 2 feet	2.66±	Soft rush - Juncus effusus - FACW Fox sedge - *Carex vulpinoidea* - FACW Rice cut-grass - *Leersia oryzoides* - FACW Sedge - *Carex lurida, C. crinita* - OBL
Wet Meadow	0.6 to 1.0 feet	1.43±	Soft rush - *Juncus effusus* - FACW Fox Sedge - *Carex vulpinoidea* - FACW Rice cut-grass - *Leersia oryzoides* - FACW Sedges - *Carex lurida,* - OBL; *C. crinita* - OBL Bulrush, wool grass - *Scirpus atrovirens,* - OBL *S. cyperinus* - FACW Sedge - *Carex comosa,* - FACW *C.intumescens* - FACW Smart weed - *Polygonum pennsylvanicum* - FACW

Mitigation Habitat Types

JAMESTOWN PUBLIC SCHOOLS-JEFFERSON MIDDLE SCHOOL
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B. MITIGATION IMPLEMENTATION

a. Specifications for Basins and their Connecting and Outlet Swales:

Basin	Defining Edge Elevation
Basin A (northern-most basin):	1515.5 feet
Basin B (next-to-smallest basin):	1513.5 feet
Basin C (southern-most basin):	1510.5 feet

Note: The edge elevations will set the locations and shapes of the basins, except at the points where the outlet and connecting swales are located. These swales will be notched into the basins.

Connecting Swales	Elevation Ranges
1	1514.50 to 1512.75 feet
2	1514.25 to 1512.25 feet
3	1514.00 to 1512.25 feet
4	1512.00 to 1510.00 feet
5	1511.00 to 1510.00 feet

Outlet Swales	Elevation Range
7	1510.25 to existing drainage channel

Inlet Swales	Maximum Centerline Bottom Elevations
7	1514.25 at basin entrance point
8	1513.25 at basin entrance point

b. Other Specifications and Comments

I) Elevations shown above for the connecting and outlet swales are based in part on the assumption that the contour lines and associated elevation values for the existing site conditions are accurate. Relative relationships should be maintained. For example, the robust/emergent troughs within the wetland basins (shown in blue on Sheets 2 and 3 of 4) should be no more than 3 feet below the basin edge in which that trough is located.

2) Side slopes of basin edges shall be no steeper than 8: I, and in many areas should be kept to values less steep than that.

3) When the constructed wetland area is first cleared prior to excavation, at least some of

the woody debris can be stockpiled so that it can be redistributed throughout the wetland basins after their excavation. Grubbing should be done in such a manner as to minimize the removal of topsoil. After the removal of the larger surface vegetation, 6-8 inches of topsoil/surface layer of soil should be removed from the entire area to be excavated and stockpiled for later redistribution over the newly excavated basins and swales. Note this replacement of topsoil means that subsoil and substratum will need to be excavated to a depth between 0.50 to 0.75 foot below the as-built elevations specified. Final grading of the constructed wetland basins should be done such that the final surface is "lumpy" (ie. can vary by ± 0.5 foot over very short distances), not smooth.

4) The intent is for the outlet swales to traverse the distance between the terminal end of Basin C and the existing tributary in a gentle slope. To accomplish this, the cross section of the swale will shall be a shallow flat bottom grading into the existing topography along that distance to the point were it enters the tributary.

5) For durability, the outlet swale should be excavated/formed on existing soil, not on deposited/built - up areas. If the contour lines as shown are accurate, this should not be a problem.

6) Point source water from the athletic field storm drainage system can be directed to the wetland complex. Volumes determined by the project engineer will determine if all three basins will receive the added hydrology or if it should be directed to a specific basin.

7) The places where point sources of water (from the athletic field drains) input may require forebays or some similar measure. Considering the sources we have mentioned to date, sediment trapping may not be a major design consideration, while energy absorption/erosion abatement may be important.

PROPOSED WETLAND COVER TYPE — ROBUST EMERGENT MARSH/OPEN WATER
Size — 0.55 ± ACRES

HABITAT DESCRIPTION

The area of mitigation is located within an old field plant community. This community occurs on sites that have been cleared or otherwise disturbed and this community has less than a 50% cover of shrubs. Shrubs commonly found in this area of the parcel include graystem and silky dogwood (*Cornus foemina*, FAC; *C. amomum*, FACW), arrowwood (*Viburnum dentatum*, FAC), and hawthorn (*Crataegus spp.*, FACU).The herbaceous species common to this area include timothy grass (*Phleum pratense*, FACU), sweet vernal grass (*Anthoxanthum odoratum*, FACU), hairgrass (*Deschampsia flexuosa*, FACU), perennial ryegrass (*Lolium perenne*, FACU) Canada goldenrod (*Solidago canadensis*, FACU), common dandelion (*Taraxacum officinale*, FACU), and small white aster (*Aster vimineus*, FAC).

Soils sampled within this upland area corresponded, in general, to the somewhat poorly drained Fremont silty clay. The Fremont series is deep, nearly level somewhat poorly drained soil formed

in glacial till derived from shale, siltstone, and sandstone. Typically this soil has a perched water table in the upper part of the subsoil from December through May. Permeability is slow to very slow in the subsoil and available water capacity is high.

OBJECTIVE

An open water habitat will be created to attract and maintain waterfowl habitat and to enhance the overall mitigation area and improve the existing wetland by providing an open water component. A mixed vegetated /open water habitat will be created to provide permanent habitat suitable for providing nesting, rearing and forage for fisheries, waterfowl, American woodcock and wading birds.

PROPOSAL

Four separate areas of submergent/emergent rooted floating plants pond is proposed for the creation of this open water habitat. The robust emergent/open water habitat will be excavated into the mitigation area in four separate locations (sheets 2 and 3 of 4) with a depth to 3 feet at the deepest point. Two area will be constructed within Basin A, one in Basin B and one in Basin c. Each habitat will be limited to 3 feet at the deepest point. This habitat will be surrounded by a emergent marsh habitat. Wood vegetation (snags) such as large stumps or small felled trees should be placed into the mitigation area at several points to provide additional habitat for wading birds and forage and amphibian escape cover. The habitat will be then be sloped 1:6 (1 vertical to 8 horizontal). This habitat will be suitable for wading birds and dabbling ducks, amphibians and reptiles. The habitat will not be suitable for fish because of the shallow depths.

It is suggested that the wetland mitigation mitigation area be allowed to re-vegetate naturally for a full growing season. It is highly likely that the natural re-vegetation will meet the criteria set by the USACE for acceptable mitigation vegetation cover. Should the mitigation area fail to meet USACE criteria the following planting scheme is recommended.

PROPOSED PROTOCOL FOR ESTABLISHMENT OF SUBMERGENT/ EMERGENT ROOTED FLOATING PLANTS

Note: Plants (tubers and rhizomes) can be buoyant. Personnel planting the following species must insure that this material is planted at the proper depth. To prevent floating, the tuber or rhizomes must be either weighted (hog clips or other non toxic weight) or secured firmly into the planting substrate. Any plant that floats to the surface will likely die. Replacement of material and additional labor planting time can be costly. All grades and elevation will be determined at the time of construction.

1) Remove all vegetation with a bulldozer or similar equipment from the mitigation creation area as noted on the mitigation plan map. Trees and shrubs which are removed should be clipped with a commercial wood chipper and stockpiled outside

the limits of the wetland construction area. This material may be suitable for use as mulch or erosion control in the future.

2) Strip topsoil from this area and stockpile for re-use as a seebed in the designated shallow water and emergent marsh areas to be excavated. No stockpiling of topsoil or subsoil will occur within the delineated wetland area. **Topsoil should not be mixed with subsoil.**

3) Excavate to planned elevation and contour as indicated on the plan profile map to be provided. Shrub and tree species existing along the margin of the planned construction will be avoided by maintaining a proper construction distance. **The wetland construction area must be over-excavated to accommodate the re-application of 4 - 6 inches of topsoil.** The existing pond may have to be dewatered to the appropriate planting depth with commercial pumps at the time of construction for the placement of required topsoil material. The planting zone, (depth to 3 feet below seasonal high water level) will be planted with the appropriate wetland species (see below).

4) Maintain slopes of 1:6 (V:H) or flatter within the area of deep emergent/submergent/rooted floating plants construction area. Areas sloping up from the deep water habitat of the pond will have slopes of 1:6 (V:H) on all sides of excavated areas.

5) After planned elevations have been obtained, **re-apply a minimum of 6-8 inches of topsoil over the entire excavated shallow water and emergent marsh areas area for the purpose of holding the seed mixture.** Allow the recharge of hydrology within the planting area.

6) Planting Subzone A1 - (approximately 12 to 18 inches of water)
Cattail (*Typha latifolia*)

- Plants grown from sprouted rhizomes.
- Rhizomes should be planted in the spring (March through July).
- Plant rhizomes at a rate of 6 feet on centers for uniform cover over desired area.

Giant Bur-reed (*Sparganium eurycarpum)*

- Plants grown from sprouted rhizomes.
- Rhizomes should be planted in the spring (March through July).
- Plant rhizomes at a rate of 6 feet on centers (offset 3 feet from cattail planting).

Planting Subzone A2 - Elevation (approximately 18 to 24 inches of water)
Pickerel weed (*Pontederia cordata*)

- Plants grown from sprouted rhizomes.
- Rhizomes should be planted in the fall (before November).
- Plant rhizomes at a rate of 6 feet on centers for uniform cover over desired

area.

Duck potato - (*Sagittaria latifolia*)

- Plants grown from tubers.
- Tubers should be planted in the spring (March through July) or fall before freeze-up.
- Plant at a rate of 6 feet on center (offset 3 feet from Pickerel weed) .

Planting Subzone A3 - (approximately 24 to 36 inches of water)

Sago pondweed (*Potamogeton pectinatus*)

- Plants grown from tubers.
- Tubers should be planted in the spring (March through July) or fall before freeze-up.
- Tuber can be pre-weighted with hog-clips or small fence staples.
- Plant at a rate of 6 feet on center for uniform cover over desired area.

Spatterdock (*Nuphar advena*)

- Plants grown from sprouted rhizomes.
- Rhizomes should be planted in the fall (before November).
- Plant rhizomes at a rate of 6 feet on centers (offset 3 feet from Sago pondweed).

PROPOSED WETLAND COVER TYPE— Wet Meadow-Emergent Marsh
SIZE — 4.41± Acres

HABITAT DESCRIPTION

The wet meadow and emergent marsh habitats will be located within each of the three basins. Soils sampled within this currently upland area corresponded, in general, to the somewhat poorly drained Fremont silty clay. The Fremont series is deep, nearly level somewhat poorly drained soil formed in glacial till derived from shale, siltstone, and sandstone. Typically this soil has a perched water table in the upper part of the subsoil from December through May. Permeability is slow to very slow in the subsoil and available water capacity is high.

OBJECTIVE

A wet meadow-emergent marsh habitat complex will be created by the excavation of soil material to the necessary ground elevation within the creation area. The construction of the replacement habitat will serve to provide nesting, rearing and forage wading birds, dabbling ducks, amphibians and American woodcock, amphibians and reptiles.

PROPOSAL

A wet meadow and shallow water emergent marsh will be constructed in a non wetland area and surround the proposed robust emergent/open water habitat within each basin of the mitigation area. The constructed mitigation plan would incorporate an irregularly shaped boundary/margin sloping gradually to incorporate an emergent marsh. The margins of the boundary and upland

tongues would have a shallow grade (1 vertical to 8 horizontal) connecting to the robust emergent areas. Using shallow excavation, as indicated on the concept plan map, a constructed depression will create a mixed wet meadow and emergent marsh habitat. Areas of slightly higher elevated shrubland habitat will occupy the upland tongues and opposing ends of the mitigation site.

PROPOSED PROTOCOL FOR ESTABLISHMENT OF EMERGENT MARSH/WET MEADOW COMPLEX

1) Remove all vegetation with a bulldozer or similar equipment from the mitigation creation area as noted on the mitigation plan map.

2) Strip topsoil from this area and stockpile for re-use as seedbed if the material is free of purple loosestrife and common reed grass plant growth. If soil is found to contain these noxious species clean topsoil will be used in the designated shallow water area to be excavated. No stockpiling of topsoil or subsoil will occur within the delineated wetland area.

3) Over-excavate to planned elevation and contour as indicated on the plan profile map to be provided. The final shallow water emergent marsh will be a maximum of 12 inches in depth after the re-application 6 - 8 inches of topsoil material and seed with a wetland vegetation seed mixture (see below). Shrub and tree species along the margin of the tongues will be avoided by maintaining a proper construction distance.

4) Maintain slopes of 1:10 (V:H) or flatter within the area of moist-soil wet meadow construction. Areas outside the deep water habitat will have slopes of 1:10 (V:H) on all sides of excavated areas. These areas are to be re-seeded with suitable mixture.

5) After planned elevations have been obtained, re-apply a minimum of 6-8 inches of topsoil over the entire excavated shallow water marsh area for the purpose of holding the seed mixture.

6) Seeding:

A. Prepare seeding area by scarifying soil with a York rake or similar equipment.

B. Fertilizer or lime as necessary.

C. Seeding should be done before June 15 or after September 15 unless irrigated.

D. Wetland Hummock seed mixture to be applied within the moist-soil/wet meadow area at a rate of 3.25 lbs/acre:

SPECIES	
Fox sedge	(*Carex vulpinoidea*)
Rice cut-grass	(*Leersia oryzoides*)
Sedge	(*Carex lurida, C. crinita*)
Soft rush	(*Juncus effusus*)

Wilson Environmental Technologies, Inc.
1331 N. Forest Rd. Suite 250, Williamsville, NY 14221
(716) 688-6900 FAX (716) 688-5884

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